IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.23790 of 2008
MANOHARI SINGH
Versus
STATE OF BIHAR
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5. 22.9.2008 Heard.

The petitioner is not in the FIR of a case under Sections 396 & 364A of the IPC. The victim came back and made his statements under Sections 161 and 164 of the CrPC on 26.6.2001, i.e., after one month of the incident, but did not name the present petitioner in any manner. After over five years of the incident the same victim implicated the petitioner in his statement by alleging that it was this petitioner, who had kept him near his Bathan and had realized ransom.

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The contention is that such a belated statement could not be acted upon, especially when the same victim had not earlier implicated the petitioner just after the incident.

Let petitioner Manohari Singh be released from custody on furnishing a bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 50 of 2001.

DKS/ **(Dharnidhar Jha, J)**